

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY OF MEMPHIS**

**April 15, 2014**

**3:30 P.M. SCHEDULED SESSION**

**3:32 P.M. MEETING COMMENCED**

**ROLL CALL:** William Boyd, Joe Brown, Harold Collins, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Lee Harris, Reid Hedgepeth, Myron Lowery, Bill Morrison and Chairman Jim Strickland.

**THE MEETING WAS CALLED TO ORDER  
BY SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with prayer by Elder Albert W. Ware, from Faith Fellowship Church of God in Christ. Councilman Harris presented Elder Ware with a certificate naming him Chaplain of the day.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.**

**3. RESOLUTION SUPPORTING APRIL IS AUTISM AWARENESS MONTH.**

**MOTION:** Harris  
**SECOND:** Morrison

**APPROVED**, by unanimous voice vote

**2. RESOLUTION THANKING MEGAN YBOS FOR HER COURAGE, COMMITMENT AND ADVOCACY FOR SEXUAL ASSAULT VICTIMS.**

**MOTION:** Fullilove  
**SECOND:** Morrison

**APPROVED**, by unanimous voice vote

1. **PRESENTATION OF THE FY 2015 BUDGET, BY MAYOR A C WHARTON, JR.**

**NO VOTE WAS REQUIRED**

**15 minute recess taken at 4:18 p.m. The meeting was called back to order by the Sergeant-at-Arms at 4:35 p.m.**

**MINUTES**

Approval of the Minutes of the regular meeting of April 1, 2014 with the following motion:

MOTION: Lowery – Move to reconsider the vote on Item #20, Weights and Measures from the Minutes of April 1, 2014

SECOND: Fullilove

AYES: Boyd, Brown, Collins, Fullilove, Halbert and Lowery

NAYS: Conrad, Flinn, Ford, Harris, Hedgepeth, Morrison and Chairman Strickland

**FAILED**, item not reconsidered. Set up as Special Item #1

4. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON COUGHLIN DRIVE BETWEEN BROOKS ROAD AND STONEBROOK AVENUE, CONTAINING 2.058 ACRES IN THE EMPLOYMENT (EMP) DISTRICT.**

Case No. SAC 13-605

Companion Case No. SD 13-701

Held for 30 days

5. **RESOLUTION APPROVING A STREET DEDICATION LOCATED ON SANDBROOK AND STONEBROOK AVENUES, CONTAINING 0.146 ACRE IN THE EMPLOYMENT (EMP) DISTRICT.**

Case No. SD 13-701

Companion Case No. SAC 13-605

Held for 30 days

6. **RESOLUTION APPROVING \$1,500,000.00 TO BE IDENTIFIED BY DIRECTOR LIPSCOMB FOR SOUTHBROOK MALL RENOVATIONS. (Held from 4/1)**

Chairman Strickland recognized the following person who spoke from the audience:

Dwight Montgomery, 2960 Kimball Ave., Memphis, TN 38114

MOTION: Harris – Move it on the floor  
SECOND: Fullilove

MOTION: Ford – Whatever money that the City puts in, that the developer acquires an insurance policy greater than or equal to the amount that the City of Memphis places for them to do this business and should they not complete this project or file bankruptcy, that insurance policy will indemnify the City of Memphis so that we can be paid back on this money.  
SECOND: Lowery

**Chairman Strickland asked Councilman Harris if he could accept Councilman Ford's motion as a Friendly Amendment. No action was taken on this question. But a vote followed.**

AYES: Conrad, Flinn, Ford, Hedgepeth, Lowery, Morrison and Chairman Strickland  
NAYS: Brown, Collins, Fullilove, Halbert and Harris  
Boyd abstained

**APPROVED**, set up as Special Item #2

MOTION: Harris – Add language at the end of the sentence to say, and if no such alternative funding source is found in 30 days, the money shall be taken from reserves

**Chairman Strickland asked Councilman Collins and Councilwoman Fullilove if they would accept Councilman Harris' motion as a Friendly Amendment. The Friendly Amendment was accepted.**

**After a discussion between Council, Robert Lipscomb, Management and Board from Southbrook Mall, Councilman Collins withdrew the resolution. He stated that he would come back at a later time for a document plan.**

**WITHDRAWN**

7. **RESOLUTION ACCEPTING AND APPROPRIATING GRANT FUNDS IN THE AMOUNT OF \$4,500.00 FROM THE TENNESSEE HISTORICAL COMMISSION FOR THE LANDMARKS COMMISSIONERS TRAINING GRANT.**

MOTION: Collins  
SECOND: Boyd  
AYES: Boyd, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland

Brown and Fullilove did not cast a vote

**APPROVED**

**CONSENT AGENDA – Item 8 may be acted upon by one motion: SEE PAGE 2935 FOR ROLL CALL**

8. NOTATION FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:

A. Case No. PD 14-303 – Appling Farms Business Park PD, 2<sup>nd</sup> Amendment

Public Hearing Set for May 6, 2014

**ROLL CALL CONSENT ITEMS**

MOTION: Halbert

SECOND: Morrison

AYES: Boyd, Conrad, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison and Strickland  
Brown, Collins, Fullilove and Harris did not cast a vote

**APPROVED**

**MLGW FISCAL CONSENT – Items 10-16 may be acted upon by one motion:**

MOTION: Harris – Divide the question on Item #9

Chairman Strickland asked if there was any opposition to dividing the question. There was no opposition.

10. RESOLUTION AMENDING PURCHASE ORDER NUMBER 149935 TO SUPPLY LINE OF MEMPHIS FOR FUSION BONDED EPOXY COATED STEEL GAS PIPE.

**APPROVED**

11. RESOLUTION APPROVING THE ISSUANCE OF, AND RECOMMEND TO AND REQUEST THAT THE CITY COUNCIL ISSUE AND SELL, THROUGH NEGOTIATED SALE, NOT TO EXCEED \$17,000,000 WATER SYSTEM REVENUE BONDS, SERIES 2014, PURSUANT TO THE WATER SYSTEM REVENUE OBLIGATIONS MASTER RESOLUTION, ADOPTED BY THE BOARD ON DECEMBER 5, 2013 AND BY THE CITY COUNCIL ON DECEMBER 17, 2013, AS SUPPLEMENTED BY THE FIRST SUPPLEMENTAL RESOLUTION.

**APPROVED**

12. **RESOLUTION APPROVING THE ISSUANCE OF, AND RECOMMEND TO AND REQUEST THAT THE CITY COUNCIL ISSUE AND SELL, THROUGH NEGOTIATED SALE, NOT TO EXCEED \$83,000,000, ELECTRIC SYSTEM REVENUE BONDS, SERIES 2014, PURSUANT TO THE ELECTRIC SYSTEM REVENUE OBLIGATIONS MASTER RESOLUTION, ADOPTED BY THE BOARD ON JUNE 20, 2002 AND BY THE CITY COUNCIL ON JULY 2, 2002, AS AMENDED AND SUPPLEMENTED TO DATE, AND AS FURTHER SUPPLEMENTED BY THE FIFTH SUPPLEMENTAL RESOLUTION.**

**APPROVED**

13. **RESOLUTION AWARDING A THIRTY-SIX MONTH CONTRACT TO GUY BROWN MANAGEMENT LLC, D/B/A GUY BROWN FOR THE PURCHASE OF OFFICE SUPPLIES AND TONERS.**

**APPROVED**

14. **RESOLUTION AWARDING A CONTRACT TO BRIGHTER DAYS AND NITES, INC. FOR MEDIUM VOLTAGE POWER CABLE, IN THE AMOUNT OF \$393,468.00.**

**APPROVED**

15. **RESOLUTION AWARDING CONTRACT TO UNIVERSAL SCAFFOLDING AND EQUIPMENT, LLC FOR SINGLE CONDUCTOR CABLE, IN THE AMOUNT OF \$77,520.00.**

**APPROVED**

16. **RESOLUTION RATIFYING, AMENDING, AND APPROVING THE SECOND SUPPLEMENTAL AMENDING RESOLUTION AMENDING THE MASTER RESOLUTION, IN THE FORM ATTACHED AS EXHIBIT "A," INCLUDING CLARIFYING AMENDMENTS RECOMMENDED BY GENERAL COUNSEL TO THE BOARD OF LIGHT, GAS & WATER COMMISSIONERS AND CO-BOND COUNSEL WITH RESPECT TO THE SERIES 2014 BONDS, OR AMENDMENTS REQUESTED BY NATIONALLY RECOGNIZED CREDIT AGENCIES THAT ARE PROVIDING RATINGS FOR THE SERIES 2014 BONDS.**

**APPROVED**

**MLGW ROLL CALL CONSENT ITEMS**

MOTION: Lowery

SECOND: Ford

AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison and Chairman Strickland

NAYS: Harris

Brown, Collins and Hedgepeth did not cast a vote

**APPROVED**, items 10-16 only

9. **RESOLUTION EXTENDING PURCHASE ORDER NUMBER 145088 WITH PENCCO, INC. FOR THE SECOND AND FINAL TWELVE MONTH PERIOD FOR FLUOROSILICIC ACID, IN THE AMOUNT OF \$456,750.00.**

Chairman Strickland recognized the following persons who spoke from the audience:

MOTION: Lowery  
SECOND: Ford  
AYES: Boyd, Conrad, Flinn, Lowery, Morrison and Chairman Strickland  
NAYS: Ford, Fullilove, Halbert and Harris  
Brown, Collins and Hedgepeth did not cast a vote

**APPROVED**

17. **APPOINTMENTS**

**ALCOHOL COMMISSION**

Reappointments

Sherman Greer  
Robert Wayne West

**PENSION BOARD OF ADMINISTRATION**

Reappointments

Rowena Y. Adams  
Nancy H. Albonetti  
Derek Brassel  
Lisa L. Geater  
Dwan L. Gilliom  
Paula Y. Polite

MOTION: Flinn  
SECOND: Ford  
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland  
Brown and Collins

**APPROVED**

18. **RESOLUTION ACCEPTING CONFERENCE SPONSORSHIPS, DONATIONS, REGISTRATION AND EXHIBIT FEES FOR THE 2014 NEIGHBORHOOD REDEVELOPMENT CONFERENCE IN THE AMOUNT OF APPROXIMATELY \$85,000.00 AND THE SUBMISSION OF ALL REQUIRED DOCUMENTS TO COLLECT, OBLIGATE AND EXPEND CONFERENCE REVENUE.**

MOTION: Lowery  
SECOND: Fullilove  
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland  
Brown and Collins did not cast a vote

**APPROVED**

19. **RESOLUTION AMENDING THE FY2014 CIP BUDGET BY TRANSFERRING A CONSTRUCTION ALLOCATION AND APPROPRIATING \$825,000.00 FUNDED BY CAPITAL PAY GO-SEWER IN REHAB EXISTING SEWERS, PROJECT NUMBER SW02001 TO INSTALL CIP ANNUAL 2014, PROJECT NUMBER SW02126 REPAIR/REHAB EXISTING DAMAGED SANITARY SEWER PIPE USING CIPP PROCESS.**

MOTION: Hedgepeth  
SECOND: Flinn  
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland  
Brown and Collins did not cast a vote

**APPROVED**

20. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT \$6,923.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE 1 GRANT FOR THE TITLE 1 INCENTIVES FUNDS.**

**Same night minutes for this item were requested. Chairman Strickland asked if there was any objection. There was none.**

MOTION: Halbert  
SECOND: Boyd  
AYES: Boyd, Conrad, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland  
Brown, Collins, and Flinn did not cast a vote

**APPROVED**

**MINUTES**

Approval of the Minutes of the regular meeting of April 15, 2014 for Item 20 only with the following motion:

MOTION: Fullilove  
SECOND: Morrison  
AYES: Boyd, Conrad, Ford, Fullilove, Halbert, Harris, Lowery, Morrison and Chairman Strickland  
Brown, Collins, Flinn and Hedgepeth did not cast a vote

**APPROVED**, Item #20 only

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

Chairman Strickland recognized the following people who spoke from the audience:

Walter Broady, III, 4256 Ledbetter Cove, Memphis, Tennessee, 38109  
Yvonne Burton, 442 Dove Valley, Collierville, TN 38017  
Lee Cochran, 179 Richbriar, Memphis, TN 38120  
Chet Kibble, Sr., 3229 Lakeview Road, Memphis, TN 38116  
Vicky D. Moore, 1010 Faxon Ave., Memphis, TN 38105  
Maria Phelps, 555 Ashbury Cove, Cordova, TN 38018  
Joan Singtt, 1412 S. Willett St., Memphis, TN 38106  
Patsy Whitten, 3615 Wilshire Rd., Memphis, TN 38111  
Min. Suhkara A. Yahweh, 870 E. McLemore, Memphis, TN 38126

**ADJOURNED MEETING AT 6:09 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

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C H A I R M A N

Attest:

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Deputy Comptroller/Council Records